



# STATEMENT

*Fair Work Act 2009*

s.285—Annual wage reviews to be conducted

## **Annual Wage Review 2021–22** (C2022/1)

JUSTICE ROSS, PRESIDENT  
VICE PRESIDENT CATANZARITI  
DEPUTY PRESIDENT ASBURY  
COMMISSIONER HAMPTON  
MR FERGUSON  
PROFESSOR WOODEN  
MS LABINE-ROMAIN

MELBOURNE 25 MAY 2022

### **BACKGROUND PAPER—COPIED STATE AWARDS**

[1] In the 2021-22 Review, employer parties Keolis Downer, Transdev Australasia Pty Ltd, Busways North West Pty Limited and Transit Systems West Services Pty Ltd and its related entities (Transit Systems) have made submissions that the Expert Panel should take account of the wage increases already provided to their transferred employees under copied State awards.<sup>1</sup> Transit Systems also submits the Commission should retrospectively vary or revoke determinations made in the 2018-19 and 2019-20 Review decisions so that the minimum wage increases from those Reviews do not apply to copied State awards applying to Transit Systems.

[2] The Australian Rail Tram and Bus Industry Union, the Australian Manufacturing Workers' Union and the Australian Services Union oppose the employer parties' submissions.<sup>2</sup>

[3] A Mention was held on 17 May 2022. The Transcript can be found [here](#). The parties generally agreed on the following process:

1. The Commission will publish a Background Paper outlining the legislative framework that applies to copied State awards in an annual wage review and posing some questions to the parties.

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<sup>1</sup> Keolis Downer submission dated 1 April 2022; Busways submission dated 1 April 2022; Transdev submission dated 1 April 2022; Transit Systems submission dated 1 April 2022.

<sup>2</sup> ARTBIU, AMWU and ASU submissions in reply dated 6 May 2022.

2. Parties will be given the opportunity to provide short written submissions in response to the Background Paper.

3. A short oral hearing will be held before a single member of the Expert Panel.

[4] A Background Paper on copied state awards has been prepared by staff of the Commission and published with this Statement on the Commission's website.

[5] All parties are invited to make short written submissions in response to the Background Paper and respond to the questions posed by **4:00pm Wednesday 1 June**.

[6] A short oral hearing will be held before Commission Hampton at **10:00am on Friday 3 June 2022**.

PRESIDENT

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